

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

THE UNITED STATES OF AMERICA,

Plaintiff,

KEVIN MCAVENIA,

Defendant.

Case No: 1:22-CR-86

Sentencing Date – November 8, 2022

LETTERS TO THE COURT IN SUPPORT OF DEFENDANT

COMES NOW the Defendant, **Mr. Kevin McAvenia** (“**Mr. McAvenia**”), by and through undersigned Counsel and submits to this Honorable Court letters respectfully submitted for consideration by this Court.

KEVIN MCAVENIA,
By Counsel
Respectfully submitted,

/s/

G. “Rex” Flynn, Jr. (VSB #78489)

Counsel for Defendant

The Flynn Law Firm, PLLC

2111 Wilson Boulevard

Suite 700-F

Arlington, Virginia 22201

703-310-7624 Phone

703-310-7625 Facsimile

Rex.Flynn@FlynnPLLC.com

CERTIFICATE

I hereby certify that on **November 7, 2022**, I will electronically file the foregoing pleading with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to the following:

Rachel L. Rothberg
Special Assistant United States Attorney (LT) United States Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Phone: (703) 299-3700
Fax: (703) 299-3980
Email: Rachel.Rothberg2@usdoj.gov

/s/

G. "Rex" Flynn, Jr. (VSB #78489)

Counsel for Defendant

The Flynn Law Firm, PLLC

2111 Wilson Boulevard

Suite 700-F

Arlington, Virginia 22201

703-310-7624 Phone

703-310-7625 Facsimile

Rex.Flynn@FlynnPLLC.com

10/22/2022

The Honorable Leonie Brinkema
United States District Court for the Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219

Kevin Guido
11618 Hammocks Glade Dr
Riverview, FL 33569

Honorable Judge Brinkema,

I am writing this letter to you to request leniency on behalf of Kevin McAvenia. He will be standing before you in the coming days for sentencing.

Kevin has been my best friend for well over half of my life. He has been a colleague, a mentor, and an uncle to my sons. Without reservation, I can say Kevin is a selfless authentic person. A person who fell victim to circumstances that felt unescapable.

As I began to think about the words I could write to help you understand; I came to a realization. I am not writing this letter to ask for my friend's freedom, I am writing this letter to try and save his life.

Kevin and I have dedicated our lives to the service of others. Although caring for others is a rewarding job, that service has come with numerous downsides, both mentally and psychically. Over the years we have both suffered near-fatal mental health damage. While he and I went down different paths to try and heal, I can understand how he walked in a different direction. This does not mean I condone the choices he has made, merely observing his need to seek some way to heal what we have been exposed to.

Our industry did not always support an individual's health and well-being. Asking for help was viewed as a sign of weakness and not taken seriously. Even today the stigma surrounding mental health acts as a ball and chain, holding many healthcare providers back from seeking the help they desperately need.

I do not envy the weight you carry on your shoulders. I do not expect nor do I ask for a proverbial slap on the wrist. I ask for your consideration and understanding. Please take into consideration the circumstances that have led him to this darkness and help him find the light to recovery. He undoubtedly still has good to offer this world.

I am hopeful you can see the person standing before you in the same light I always have. The person that helped save my life and countless others.

Thank you for your time and consideration in this matter.

Kevin Guido

23 October 2022

Stanley C. Maddox

6030 Hulmeville Road

Bensalem, Pa 19020-2219

Honorable Leonie Brinkema

Re: Case of Kevin McAvenia

I am writing this letter in regards to Kevin McAvenia's , sentencing for internet crimes.

I am currently Kevin's father-in-law, Kevin is married to my daughter, Kimberly.

I am very aggrieved by the actions of Kevin, though at the same time concerned about his mental health and wellbeing. I do firmly believe that Kevin should pay for his actions, while I would like to request the court to have leniency in the sentencing of Kevin. I do not believe that a long sentence would be serving justice, though a sentence is required. I would ask the court to consider the time in the past months that Kevin was confined in different jail locations and his monitored house arrest at his mothers in the state of New Jersey; as credit toward his time to be served.

I believe that while confined, Kevin should receive mental health and therapy to find out why he was in such a dark place; and attempt to get him out of it. When Kevin is released /paroled, he should be required to continue with mental health/therapy services.

I am making my request for leniency for Kevin, based on what I know personally and what I have been told. I believe Kevin did take full responsibility for his actions when he was arrested .and admitted to what he was accused of. To the best of my knowledge, Kevin has not tried to deny or blame anyone else.

Kevin is fully aware that he has ruined his life, his livelihood, and his marriage. Losses that I hope he can overcome and live a healthy life.

I fully believe that if Kevin receives the proper mental health care/therapy, that he can once again become the productive and trusting citizen that he was, prior to this darkness becoming known. He had a great job, was trying to start his own business in health care, was an EMT and I believe my daughter told me he worked with FEMA in emergency crisis.

Thank You for taking the courts time in reading my request,


Stanley C. Maddox

Caroline Barnhill, MPH

2600 16th St. S., #697, Arlington, VA 22204
caroline@tcbhealth.com/857-928-2345

10/25/2022

The Honorable Leonie Brinkema
Judge of the United States District Court for the Eastern District of Virginia
401 Courthouse Square
Alexandria, VA 22314

Dear Judge Brinkema,

I am writing on behalf of Kevin James McAvenia to request consideration for leniency on his upcoming sentencing November 1. I recognize that the charges against him are of a serious nature and cannot be disregarded in any way. This letter is to provide a character reference on the man I have known for six years.

Kevin is generally a man of few words but will engage in conversation with anyone around him. While not openly expressive, he understands feelings. He is not afraid of others' honest expression of emotion and is empathetic and supportive of anyone who needs an ear. He, himself, is someone who "feels." He has experienced a lot in his life, which has made him more compassionate and kinder toward others. He has struggled but worked hard to overcome hardships and the ensuing repercussions he has experienced. Kevin can feel when others have pain, as well, and he does what he can to help to reduce their suffering. He cares deeply about the people in his life. He cares about the stranger who might talk to him. He offers guidance and support to anyone who needs it.

Kevin's compassionate nature is evident in the work he has dedicated his life to. He became an EMT in his late teens and has made significant contributions to the field of emergency management, as well as national security. He has been an instructor on emergency management, influencing numerous people in joining the cadre of professionals working daily to protect the public. He has written response plans and created operational documents and guidance for high-level response partners. He has traveled the world conducting security assessments at Embassies. He has had a direct impact on the health and safety of individuals, our Nation, and other countries around the globe. His work will have a lasting effect that is commendable.

Kevin is one of my favorite people. I describe him to people as a "gentle giant." He loves animals and is one of the people that animals of all kinds are drawn to. They sense his kind soul. He continues to be one of my most valued friends. He's been there for me whenever I have needed him. He listens to me stress, cry, worry, without any judgement whatsoever. He is there, too, when I am excited about something. It makes him happy to see his friends and family excited and he embraces and supports whatever is important to us.

Caroline Barnhill, MPH

2600 16th St. S., #697, Arlington, VA 22204
caroline@tcbhealth.com/857-928-2345

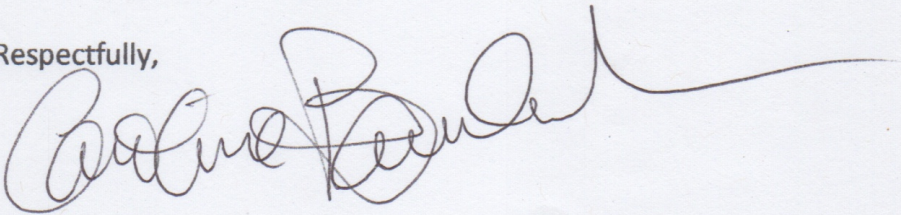
Kevin and I lived in the same neighborhood and met at the local pub. When my brother-in-law came to visit two years ago and wanted to go there as soon as he arrived, I wanted him to meet a couple of my friends. The very first person I immediately texted without thought was Kevin. He responded immediately and was there within five minutes.

Whenever Kevin and I were at the pub at the same time and he ordered the Donegal Chips, he ordered them without bacon. The first time I asked him why he did not get the bacon. He said he ordered them that way so that I could have some because he knows I love them. I am a vegetarian. He would do that every time. If he got a steak and fries, the first thing he would do is pick out the "uncontaminated" fries (ones that have not touched meat) for me. He would get an extra plate just for that. I never asked him to do either; he just did it because he knew it would make me happy. It might not seem that significant, but it is one of the most thoughtful, meaningful gestures of caring anyone has made for me.

There are many, many more examples like these. I could keep going for pages. But in the interest of trying to limit the length of this letter, the best way I can sum up Kevin is that when I am around him, I feel calmer and less stressed; I feel like I can actually breathe.

I very much appreciate your time in reading this letter and for your consideration in your decision.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Caroline E. Barnhill', with a long horizontal flourish extending to the right.

Caroline E Barnhill

KJM

October 24, 2022

The Honorable Leonie Brinkema
United States District Court for the Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219

Honorable Judge Brinkema:

Thank you for taking the time to read this letter on behalf of my nephew, Kevin McAvenia. Our family was shocked, as you can imagine, that he was charged with any crime, let alone this type of crime. We have been aware that he suffers from depression and anxiety, but saw no signs of his child pornography interests or offenses. A child should never be abused, endangered or taken advantage of in any way.

As a family, we have not abandoned him. We support him as he is finally able to get the medication and counselling treatment he so badly needs for his conditions. He is faithfully attending his counseling sessions and takes his medications. When I have interacted with him he has been penitent, lucid and cooperative.

I beseech you to consider the most lenient sentence you can issue in good conscience. I truly believe that imprisonment will worsen his mental illnesses. I believe that he will abide by all electronic monitoring imposed upon him, all limitations to his physical presence, all oversight visits and all counselling and medication recommended. Thank you for considering weighing sentencing more towards probation and treatment than incarceration and treatment.

Sincerely,

Janice McAvenia-Amitrano

21 Winsted Drive Howell NJ 07731

10/25/22

The Honorable Leonie Brinkema
United States District Court
401 Courthouse Square
Alexandria, VA 22314

Karen McAvenia
1 Philrich Drive
Mercerville, NJ 08619

Honorable Judge Brinkema.

I am writing this letter to you to ask for leniency for my son Kevin McAvenia. I am a 58-year-old Radiologic Technologist, and my husband is a union, Carpenter. Please understand that while I am in total agreement that he did commit a crime and needs to be punished, he also needs to be treated for mental health disorders.

His father was a correctional officer for the state of New Jersey, by his choice did not have any true participation in his upbringing. He passed away 6 years ago. One of Kevin's best friends also passed away that same year under very tragic circumstances.

During Kevin's childhood, I was a full-time single mother for 6-7 years. I met and married my wonderful husband Thomas Treptow in 1994. I was undiagnosed with Bipolar- Disorder which for many years went uncontrolled. I'm sure that my unpredictable behaviors caused Kevin and his siblings a lot of confusion and insecurities. Throughout much of his childhood I worked full-time and covered a lot of 24-hour emergency call hours to provide for us, as his biological father was in frequent arrears with child support. Consequently, Kevin was frequently under the care of family members and babysitters. While I worked.

Your Honor, by no means is this an excuse for his behavior, but I want you to know Kevin is not a bad person at heart, he was never taught proper coping skills. Your Honor, my son has dedicated his life to civil service, such as firefighting, EMT, education, he also even worked for the State department helping to protect and serve his country and community. I ask you to please consider all the good he has put out into the world thru his work. Your Honor, I ask you to please consider all of this as you sentence him.

Kevin has a very supportive network of family and friends that are willing to provide the positive reinforcement he will need during his recovery. Because of the I ask that a treatment center would be an optimal setting for him. With the hope of it being nearby, so that as Kevin learns to utilize his resources, he can better express his problems and needs, and by doing so allows our family to begin a healing process.

Your Honor, I ask for you to please show leniency and allow me to help him show you and the court system he is deserving of a chance to do bet

Respectfully,

Karen McAvenia

